

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-md-02327 MDL 2327
THIS DOCUMENT RELATES TO: Ethicon Wave 11	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION OF
MANISH PATEL, M.D. FOR ETHICON WAVE 11**

Comes now, the Plaintiffs, and hereby adopt and incorporate by reference the Daubert motion and memorandum filed in relation to Manish Patel, M.D. as originally filed in Coloplast Civil Action Number 2:12-md-2387, Wave 5-7, Dkt. 2516 (motion), 2517 (memorandum in support); and the reply brief filed in Coloplast Wave 5-7, Dkt. 2548. Plaintiffs respectfully request that the Court exclude Manish Patel, M.D.'s testimony, for the reasons expressed in the Wave 5, 6 and 7 briefing. This notice applies to all Ethicon Wave 11 cases with a Coloplast product, as expressed in the attached Exhibit A.¹

DATE: August 14, 2019

RESPECTFULLY SUBMITTED BY:

/s/ Riley L. Burnett, Jr.
Riley L. Burnett, Jr.
BURNETT LAW FIRM
3737 Buffalo Speedway, 18th Floor

¹ The Adoption and Incorporation is being filed for all Wave cases Plaintiff Steering Committee could identify as Coloplast failed to serve General Expert Reports on the Plaintiffs' Steering Committee and in the MDL. The Adoption and Incorporation is filed as to each Coloplast expert for each case as Coloplast has failed to provide the Plaintiffs' Steering Committee notification as to who the general experts are for any Wave cases or if there are any additional/new general experts. When asked for such information Coloplast counsel responded "We served designations in each case that identify the general cause experts for each case."

Houston, Texas 77089
RBurnett@rburnettlaw.com
Telephone: (832) 413-4410

/s/ Robert Salim

Robert Salim
SALIM-BEASLEY, LLC
1901 Texas Street
Natchitoches, LA
robertsalim@cp-tel.net
Telephone: (318) 352-5999

/s/ Mark Mueller

Mark Mueller
MUELLER LAW PLLC
404 W 7th Street
Austin, TX 78701
mark@muellerlaw.com
Telephone: (512) 478-1236

CERTIFICATE OF SERVICE

I hereby certify on August 14, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of this to the CM/ECF participants registered to receive service in this MDL.

/s/ Karen H. Beyea-Schroeder

Karen H. Beyea-Schroeder
BURNETT LAW FIRM
3737 Buffalo Speedway, 18th Floor
Houston, Texas 77089
Karen.schroeder@rburnettlaw.com
Telephone: (832) 413-4410